

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF EAST)	
KENTUCKY POWER COOPERATIVE, INC.)	
FOR A GENERAL ADJUSTMENT OF RATES,)	CASE NO.
APPROVAL OF DEPRECIATION STUDY,)	2021-00103
AMORTIZATION OF CERTAIN REGULATORY)	
ASSETS, AND OTHER GENERAL RELIEF)	

ORDER

On April 14, 2021, Nucor Steel Gallatin (Nucor) and the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General) filed a joint motion requesting to amend the procedural schedule issued on April 13, 2021. The Attorney General and Nucor requested to compress the schedule for certain case events. The Attorney General and Nucor’s request and the current schedule are set forth below:

Procedural Event	April 13, 2021 Procedural Schedule	Attorney General/Nucor Requested Dates
Initial requests to EKPC	May 14, 2021	May 14, 2021
EKPC responses to initial requests	May 28, 2021	May 28, 2021
Supplemental requests to EKPC	June 16, 2021	June 4, 2021
EKPC responses to supplemental requests	June 28, 2021	June 16, 2021
Intervenor testimony	July 1, 2021	July 1, 2021

As a basis for their joint motion, the Attorney General and Nucor state that they do not need 19 days, and instead can review EKPC’s discovery responses and develop fresh questions within four business days. The Attorney General and Nucor further state that

they need more than three business days to review EKPC's supplemental discovery responses in order to finalize their joint intervenor testimony.

Based upon a review of the motion and procedural schedule, and being otherwise sufficiently advised, the Commission finds that the Attorney General and Nucor failed to establish good cause to amend the procedural schedule, and therefore it should be denied for the reasons set forth below. In addition to EKPC's general rate adjustment, EKPC's 16 Member-Owner Cooperatives also filed separate cases to pass through EKPC's rate adjustment. Thus, there are 17 cases that, while having a nexus to each other, remain discrete, stand-alone proceedings that are subject to the same degree of scrutiny to ensure that the record is sufficiently robust for the Commission to render its decision in each case. The procedural schedule for each of the 17 cases was established after a review of multiple considerations, including the amount of time needed to process this case and the 16 companion cases, in light of the Commission's workload and resources. The procedural schedule balances the parties' interests and the Commission's statutory duty to conduct a thorough, robust review of the facts and law. To the extent that the Attorney General, Nucor, and EKPC can come to an informal agreement to accommodate the Attorney General and Nucor's request, they may do so.

IT IS THEREFORE ORDERED that Nucor and the Attorney General's joint motion to amend the procedural schedule is denied.

By the Commission



ATTEST:


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